

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

OHIO CARPENTERS' PENSION
FUND, ELECTRICAL WORKERS
PENSION FUND LOCAL 103 I.B.E.W.,
and SAN BERNARDINO COUNTY
EMPLOYEES' RETIREMENT
ASSOCIATION,

Plaintiffs,

– *against* –

DEUTSCHE BANK AG, DEUTSCHE
BANK SECURITIES INC.,
COOPERATIEVE RABOBANK U.A.
(f/k/a COOPERATIEVE CENTRALE
RAIFFEISEN-BOERENLEENBANK
U.A.), and RABO SECURITIES USA,
INC.,

Defendants.

Case No. 1:22-cv-10462-ER

STIPULATION OF DISMISSAL

WHEREAS, Ohio Carpenters' Pension Fund, Electrical Workers Pension Fund Local 103 I.B.E.W., and San Bernardino County Employees' Retirement Association ("Plaintiffs") filed the above-captioned action (the "Action") against Deutsche Bank AG, Deutsche Bank Securities Inc., Coöperatieve Rabobank U.A. (f/k/a Coöperatieve Centrale Raiffeisen-Boerenleenbank U.A.), and Rabo Securities USA, Inc. ("Defendants") on December 9, 2022;

WHEREAS, Plaintiffs filed an Amended Complaint on May 3, 2023 and a Second Amended Complaint ("SAC") on October 6, 2023;

WHEREAS, Defendants moved to dismiss the SAC on November 6, 2023;

WHEREAS, on August 26, 2024, the Court entered an order (the "Order") dismissing Plaintiffs' claim against all Defendants for failure to state a claim and instructing Plaintiffs "to inform the Court within twenty-one days of this Order whether they have cause to amend the SAC, or the case will be closed." (Order at 25, ECF No. 86);

WHEREAS, following the Court's order, Plaintiffs and Defendants agreed that Plaintiffs would not amend their complaint, seek reconsideration of the Court's Order, or appeal the Court's Order and that each side would bear its own costs;

NOW, THEREFORE, PLAINTIFFS AND DEFENDANTS HEREBY STIPULATE AND AGREE THAT:

1. Plaintiffs will not amend their complaint, seek reconsideration of the Court's Order or appeal the Court's Order or any judgment issued in this Action;
2. The Action and Plaintiffs' claim asserted in it shall be dismissed with prejudice; and
3. All parties will bear their own costs and will not seek to recover costs from each other.

The Parties respectfully request that judgment be issued in favor of Defendants and the case be closed.

Dated: September 6, 2024

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